

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Michael Outerbridge

Plaintiff - Pro-Se

(In the space above enter the full name(s) of the plaintiff(s).)

**AMENDED
COMPLAINT**

under the Civil Rights Act,
42 U.S.C. § 1983

-against-

The City of New York, et al.

And The UNKNOWN Plainclothes OFFICER(S) OF The N.Y.P.D., 23RD. PCT.

Jury Trial: ☒ Yes ☐ No
(check one)

13 Civ. 5459 (A.T.)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's

Name

Michael Outerbridge

ID#

349-13-14383

Current Institution

E.M.T.C.

Address

10-10 HAZEN ST.
EAST ELMHURST, NEW YORK 11370.

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name

UNKNOWN-Pending I.D. Shield # 3

Where Currently Employed

N.Y.P.D., 23RD. PCT.

Address

162 E. 102 ST.
NEW YORK, N.Y. 10029.

Defendant No. 2

Name UNKNOWN - PENDING I.D. Shield # ?
 Where Currently Employed N.Y.P.D. 23RD PCT.
 Address 162 E. 102 ST.
NEW YORK, N.Y. 10029.

Defendant No. 3

Name UNKNOWN - PENDING I.D. Shield # ?
 Where Currently Employed N.Y.P.D. 23RD PCT.
 Address 162 E. 102 ST.
NEW YORK, N.Y. 10029.

Who did
what?

Defendant No. 4

Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 5

Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

23RD PCT.

B. Where in the institution did the events giving rise to your claim(s) occur?

104TH ST. AND PARK AVE. NEW YORK, N.Y. 10029.

C. What date and approximate time did the events giving rise to your claim(s) occur?

JAN. 25, 2013; Bet. 12:05 AM. AND 12:20 AM.
ON THE DOWNTOWN SIDE OF PARK AVE.
AND 104TH ST.

D. Facts:

ON JANUARY 25, 2013; Bet. 12:05 AM. AND 12:20
AM. UNDERCOVER PLAINCLOTHES OFFICERS OBSERVE PLAINTIFF
AND MR. G. WINTERS ENTER A LIVERY TAXI AT E. 102 ST. AND
LEXINGTON AVE. AT GAS STATION. OFFICERS FOLLOW US TO

What
happened
to you?

104TH ST. AND PARK AVE. WHERE THEY PULLED US OVER AND STOPPED AND FRISKED US FOR NO APPARENT REASON, CLAIMING THEY WERE LOOKING FOR GUNS. AFTER SEARCHING US, NO WEAPONS WERE FOUND UPON US OR THE TAXI, AND I IMMEDIATELY ASKED FOR THEIR NAMES AND SHIELD #S AND THEY REFUSED, WITH ONE OFFICER STATING, WOULD YOU LIKE TO GO TO JAIL NOW? THEY ASKED FOR I.D. AND WE COMPLIED. THEY ASKED WHERE WE WERE COMING FROM AND GOING TO AND WE ANSWERED. FINALLY, WE WERE ALLOWED TO LEAVE. THIS "STOP AND FRISK" WERE CLEARLY UNWARRANTED, UNPROVOKED, AND WITHOUT PROBABLE CAUSE. THIS STOP, QUESTION AND FRISK, ALSO ARE UNJUSTIFIED ON THE OFFICER(S) BEHALF. PLAINTIFF(S) RESPONSE LETTER DATED ON 1-29-14, TO DEFENDANT(S) LETTER DATED 1-09-14, STATES THE UNKNOWN OFFICER(S) WERE DRIVING A BLACK FORD CROWN VICTORIA, A 1992 THRU 1997, MODEL AND MAKE W/ BLACK TINTED WINDOWS. THIS IS RACIAL PROFILING AT ITS WORST, THAT ARE

Was anyone else involved?

Who else saw what happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

AGGRAVATED HARASSMENT, RACIAL PROFILING, STEREOTYPED DISCRIMINATION, INTENTIONAL HARM OF INFLECTING EMOTIONAL DISTRESS, PAIN AND SUFFERING, MENTAL ANGUISH, MENTAL CRUELTY, PSYCHOLOGICAL DISORDER, COMPLETE DEPRIVATION OF PLAINTIFF(S) FEDERALLY PROTECTED U.S.C.A. 4TH AND 14TH AMENDMENT RIGHTS AND NYS LAW CONSTITUTIONAL RIGHTS.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ☒

illegal, UNLAWFUL AND PREJUDICIAL AND UNCONSTITUTIONAL. AS OF ~~THE~~ 05.2014, PLAINTIFF RECEIVED THE ANSWER FROM THE DEFENDANT, ORDERED BY THIS COURT BY JANUARY. 30, 2014. THE DEFENDANT DENIES ITEMS ONE THRU 10, ANY KNOWLEDGE OR INFORMATION SUFFICIENT AS TO PARAGRAPHS 1(A), 1(B); 2(A), 2(B); 2(C), 2(D); 4(A)(G), OR PARAGRAPHS 5, OR 6(A)-(D), OF THE PLAINTIFFS COMPLAINT WHICH THE PLAINTIFF CHALLENGES IN HIS COMPLAINT AS TRUE AND CORRECT. AS TO THE DEFENDANTS AFFIRMATIVE DEFENSES 1-19: THE PLAINTIFF COMPLETED IN RELIEF A CLAIM THAT CAN BE GRANTED AS STATED UPON. (2) THE DEFENDANTS HAVE AND ARE IN VIOLATION OF PLAINTIFFS CONSTITUTIONAL RIGHTS UNDER THE 4TH AND 14TH AMENDMENTS OF THE U.S.C.A.; AS NOTED IN THE DOCUMENTS OF NYCLU SETTLEMENT ENDS STOP AND FRISK OF LIVERY CAB PASSENGERS. (3) ANY AND ALL INJURIES SUSTAINED BY THE PLAINTIFF ARE A DIRECT RESULT OF THE DEFENDANTS NEGLIGENCE AND VIOLATION.

Was anyone else involved?

Who else saw what happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

SAME AS PREVIOUS INJURIES ON PAGE (3), ORIGINAL.

"SAME"

"SAME"

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A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ____ No ☒

ON OF PLAINTIFF(S) CIVIL RIGHTS AS stated in the
 USCA. 4th AND 14th AMENDS. (5) PLAINTIFF STATED
 THE UNLAWFUL "STOP, QUESTION, AND FRISK" WERE UNWARR-
 ANTED, UNPROVOKED AND WITHOUT PROBABLE CAUSE. (6) PUN-
 ITIVE DAMAGES ARE DETERMINED BY A JUDGE AND/OR
 A JURY. (7) WHERE, AND IF SO, WHY did these OFF-
 ICERS let US GO? (8) ACCORDING TO THE N.Y.C.U.
 DOCUMENT ATTACHED TO ORIGINAL COMPLAINT. (9) MILITARY
 DAMAGES ARE INCLUDED IN AMENDED COMPLAINT.
 (10) PLAINTIFF DOES HAVE A COPY OF THE CLAIM THAT WERE
 FILED WITH THE COMPTROLLER'S OFFICE ON APR. 11, 2013. IT
 ARE ALSO NOT THE PLAINTIFF(S) RESPONSIBILITY TO IDENTIFY
 THESE OFFICERS; AND BEING THE LAW DEPARTMENT ARE
 FAILING TO DO SO AS ORDERED BY THIS COURT. THE
 PLAINTIFF HEREBY ASK THE COURT TO IMPEL THE
 I.A.B.; ENLIST THE SERVICES OF THIS AGENCY TO
 IDENTIFY THESE OFFICERS. N.Y.P.D. INTERNAL AFF-
 AIRS BUREAU.

Was
 anyone
 else
 involved?

Who else
 saw what
 happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

"SAME AS ORIGINAL"

"SAME AS ORIGINAL"

"SAME"

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A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ✓

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

None

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☐ No ☒ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☒

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve?

None

2. What was the result, if any?

None

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

None

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

The GRIEVANCE PROCEDURE AT ANY LOCAL, STATE OR FEDERAL CORR. FACILITY DOES NOT

Resolve or Resolute ANY GRIEVANCE
COMPLAINT THAT DID NOT HAPPEN OR TAKE
PLACE AT THE FACILITY.

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any.

The Legal Coordinator At The LAW LIBRARY
Who directed me to contact The N.Y.C.
L.U., Who in response Reply for me
to contact The CIVILIAN COMPLAINT RE-
VIEW BOARD, to which NEVER responded
OR CONTACTED me From Feb. 14, 2013 thru-
7-19-13.

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

PLAINTIFF ALSO CONTACTED THE BOARD OF
CORRECTION AND THE NYC-DOC., to which
both AGENCY'S STATED THEY COULD NOT ASS-
IST me WITH A Resolution.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

ACCRAYATED HARASSMENT, IN
THE AMOUNT 50,000.00 IN DAMAGES; RACIAL PROFILING, 50,
000.00; PREJUDICIAL DISCRIMINATION, 50,000.00; EMOTIONAL
DISTRESS, 50,000.00; PAIN AND SUFFERING, 50,000.00.
MENTAL ANGUISH, 50,000.00; MENTAL CRUELTY, 50,000.00.
PSYCHOLOGICAL DISORDER, 50,000.00; / COMPLETE
DEPRIVATION OF PLAINTIFF(S) CONSTITUTIONAL RIGHT
(S) UNDER 4TH AMEND., 100,000.00; AND 14TH AMEND.,
100,000.00.. DOLLARS, IN MONETARY DAMAGES AND
COMPENSATION. TOTAL DAMAGES: 1,600,000.00 DOLL-
ARS. AND MAKE THE CITY ADMIT TO ITS WRONG
DOING(S).

doings in ANNOUNCING they will END the opp-
RESSION OF MINORITIES (PARTICULARLY BLACKS)
AND HISPANICS) AND OTHER ETHNIC GROUPS.

VI. Previous lawsuits:

On
these
claims

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☐ No ☒

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff

NONE

Defendants

2. Court (if federal court, name the district; if state court, name the county)

3. Docket or Index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending? Yes ☐ No ☐

If NO, give the approximate date of disposition

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?)

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ☒ No ☐

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff

Michael Deterbridge

Defendants

THE CITY OF NEW YORK, et al.

2. Court (if federal court, name the district; if state court, name the county)

SDNY

3. Docket or Index number

13 CV 1473

4. Name of Judge assigned to your case

KATHERINE B. FORREST

5. Approximate date of filing lawsuit

SEPTEMBER 10, 2013

6. Is the case still pending? Yes / No
If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) Pending

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6 day of February, 2014.

Signature of Plaintiff

Inmate Number

Institution Address

Michael Dutubich
349.13.19383
EMTC, 10-10 HAZEN ST.
EAST ELMHURST
NEW YORK 11370.

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 6 day of February, 2014, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Michael Dutubich

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MICHAEL OUTERBRIDGE,

Plaintiff,

-against-

THE CITY OF NEW YORK; UNKNOWN
PLAIN CLOTHES OFFICERS OF THE
N.Y.P.D. 23 PCT.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/23/13

13 Civ. 5459 (AT)

ORDER

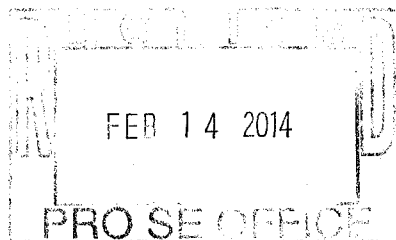
"ORIGINAL/Amended
COMPLAINT"

ANALISA TORRES, United States District Judge:

Plaintiff, appearing *pro se*, brings this action, pursuant to 42 U.S.C. § 1983, alleging that he was unlawfully stopped and frisked. Plaintiff sues the City of New York and unknown officers of the 23rd Precinct. By order dated August 20, 2013, the Court granted Plaintiff's request to proceed *in forma pauperis*.

JOHN DOE DEFENDANTS

Under *Valentin v. Dinkins*, 121 F.3d 72 (2d Cir. 1997), a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. *Id.* at 76. In the complaint, Plaintiff supplies sufficient information to permit the New York Police Department to identify the John Doe Defendants. It is, therefore, ordered that the New York City Law Department, which is the attorney for and agent of the New York Police Department, shall ascertain the identity of the John Doe Defendants whom Plaintiff seeks to sue here and the addresses where these Defendants may be served. The New York City Law Department shall provide this information to Plaintiff and the Court within sixty days of the date of this order.



Within thirty days of receiving this information, Plaintiff must file an amended complaint naming the John Doe Defendants. The amended complaint will replace, not supplement, the original complaint. An Amended Civil Rights Complaint form that Plaintiff should complete is attached to this order. Once Plaintiff has filed an amended complaint, the Clerk of Court will, if necessary, send instructions to Plaintiff to effect service on the named John Doe Defendants in accordance with Rule 4 of the Federal Rules of Civil Procedure.

CONCLUSION

To allow Plaintiff, who is proceeding *in forma pauperis*, to effect service on the City of New York through the U.S. Marshals Service, the Clerk of Court is instructed to send Plaintiff one U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for this Defendant. Within thirty days of the date of this order, Plaintiff must complete a USM-285 form for this Defendant and return this form to the Court.

If Plaintiff does not wish to use the Marshals Service to effect service, he must notify the Court in writing within thirty days of the date of this order and request that a summons be issued directly to him. If within thirty days, Plaintiff has not returned the USM-285 form or requested a summons, under Rule 41(b) of the Federal Rules of Civil Procedure, the Court may dismiss this action for failure to prosecute.

Upon receipt of the completed USM-285 form, the Clerk of Court shall issue a summons and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon the City of New York.

No matter what method of service Plaintiff chooses, he must effect service within 120 days of the date the summons is issued. It is Plaintiff's responsibility to inquire of the Marshals Service as to whether service has been made and if necessary, to request an extension of time for

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MICHAEL OUTERBRIDGE,

Plaintiff,

-against-

THE CITY OF NEW YORK; UNKNOWN
PLAIN CLOTHES OFFICERS OF THE
N.Y.P.D. 23 PCT.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/23/13

13 Civ. 5459 (AT)

ORDER

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Within thirty days of receiving this information, Plaintiff must file an amended complaint naming the John Doe Defendants. The amended complaint will replace, not supplement, the original complaint. An Amended Civil Rights Complaint form that Plaintiff should complete is attached to this order. Once Plaintiff has filed an amended complaint, the Clerk of Court will, if necessary, send instructions to Plaintiff to effect service on the named John Doe Defendants in accordance with Rule 4 of the Federal Rules of Civil Procedure.

CONCLUSION

To allow Plaintiff, who is proceeding *in forma pauperis*, to effect service on the City of New York through the U.S. Marshals Service, the Clerk of Court is instructed to send Plaintiff one U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for this Defendant. Within thirty days of the date of this order, Plaintiff must complete a USM-285 form for this Defendant and return this form to the Court.

If Plaintiff does not wish to use the Marshals Service to effect service, he must notify the Court in writing within thirty days of the date of this order and request that a summons be issued directly to him. If within thirty days, Plaintiff has not returned the USM-285 form or requested a summons, under Rule 41(b) of the Federal Rules of Civil Procedure, the Court may dismiss this action for failure to prosecute.

Upon receipt of the completed USM-285 form, the Clerk of Court shall issue a summons and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon the City of New York.

No matter what method of service Plaintiff chooses, he must effect service within 120 days of the date the summons is issued. It is Plaintiff's responsibility to inquire of the Marshals Service as to whether service has been made and if necessary, to request an extension of time for

of the summons, Plaintiff has not made service or requested an extension of time in which to do so, under Rules 4(m) and 41(b) of the Federal Rules of Civil Procedure, the Court may dismiss this action for failure to prosecute. Finally, it is Plaintiff's obligation to promptly submit a written notification to the Court if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so.

The Clerk of Court is further directed to serve a copy of this order and the complaint on the New York City Law Department at: 100 Church Street, New York, NY 10007.

An Amended Civil Rights Complaint form is attached to this order.

SO ORDERED.

Dated: August 23, 2013
New York, New York



ANALISA TORRES
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Michael Outerbridge

Plaintiff - Pro-Se

(In the space above enter the full name(s) of the plaintiff(s).)

**AMENDED
COMPLAINT**

under the Civil Rights Act,
42 U.S.C. § 1983

-against-

The City of New York, et al.

AND The UNKNOWN Plainclothes Officer(s) of the N.Y.P.D., 23rd PCT.

Jury Trial: ☒ Yes ☐ No
(check one)

13 Civ. 5459 (A.T.)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's

Name

ID#

Current Institution

Address

Michael Outerbridge
349-13-14383
E.M.T.C.
10-10 Hazen St.
EAST ELMHURST, New York 11370.

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name

Where Currently Employed

Address

UNKNOWN - Pecking P.D. Shield # 5
N.Y.P.D., 23rd PCT.
162 E. 102 St.
New York, N.Y. 10029.

Defendant No. 2

Name UNKNOWN - PENDING I.D. Shield # 2
Where Currently Employed N.Y.P.D. 23rd Pct.
Address 162 E. 102 St.
NEW YORK, N.Y. 10029.

Defendant No. 3

Name UNKNOWN - PENDING I.D. Shield # 2
Where Currently Employed N.Y.P.D. 23rd Pct.
Address 162 E. 102 St.
NEW YORK, N.Y. 10029.

Who did
what?

Defendant No. 4

Name _____ Shield # _____
Where Currently Employed _____
Address _____

Defendant No. 5

Name _____ Shield # _____
Where Currently Employed _____
Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

23rd Pct.

B. Where in the institution did the events giving rise to your claim(s) occur?

104th St. AND PARK AVE. NEW YORK, N.Y. 10029.

C. What date and approximate time did the events giving rise to your claim(s) occur?

JAN. 25, 2013; Bet. 1205 AM. AND 1220 AM.
ON THE UPTOWN SIDE OF PARK AVE.
AND 104th St.

D. Facts:

ON JANUARY 25, 2013; Bet. 1205 AM. AND 1220
AM, UNDERCOVER PLAINCLOTHES OFFICER(S) OBSERVE PLAINTIFF
AND MR. G. WINTERS ENTER A LIVERY TAXI AT E. 102 St. AND
LEXINGTON AVE. AT GAS STATION. OFFICER(S) FOLLOW US TO

What
happened
to you?

Was anyone else involved?

Who else saw what happened?

104TH ST. AND PARK AVE. Where they pulled us over and stopped and frisked us for no apparent reason, claiming they were looking for "GUNS". After searching us, no weapons were found upon us or the taxi, and I immediately asked for their names and shield #s and they refused, with one officer stating, "Would you like to go to jail now?" They asked for \$5.00 and we complied. They asked where we were coming from and going to and we answered. Finally, we were allowed to leave. This "stop and frisk" were clearly unwarranted, unprovoked, and without probable cause. This stop, question and frisk, also are unjustified on the officer(s) behalf. Plaintiff(s) response letter dated on 1-29-14 to defendant(s) letter dated 1-06-14 states the unknown officer(s) were driving a black Ford Crown Victoria, A 1992 thru 1997 model and make w/ black tinted windows. This is racial profiling at its worst, that are

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Aggravated harassment, racial/profiling, stereotyped discrimination, intentional harm of inflicting emotional distress, pain and suffering, mental anguish, mental cruelty, psychological disorder, complete deprivation of plaintiff(s) federally protected U.S.C.A. 4TH AND 14TH Amendment rights and NYS LAW constitutional rights.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ☒

Was
anyone
else
involved?

Who else
saw what
happened?

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If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

SAME AS PREVIOUS INJURIES ON PAGE (3), ORIGINAL.

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"SAME"

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ☒

ON OF PLAINTIFF(S) CIVIL RIGHTS AS STATED IN THE
 USCA. 4TH AND 14TH AMENDS. (4) PLAINTIFF STATED
 THE UNLAWFUL "STOP, QUESTION, AND FRISK" WERE UNWARR-
 ANTED, UNPROVOKED AND WITHOUT PROBABLE CAUSE. (5) PUN-
 ITIVE DAMAGES ARE DETERMINED BY A JUDGE AND/OR
 A JURY. (6) WHERE, AND IF SO, WHY DID THESE OFF-
 ICERS LET US GO? (7) NOT ACCORDING TO THE N.Y.C. CH.
 DOCUMENT ATTACHED TO ORIGINAL COMPLAINT. (8) MITIGA-
 TIVE DAMAGES ARE INCLUDED IN AMENDED COMPLAINT.
 (9) PLAINTIFF DOES HAVE A COPY OF THE CLAIM THAT WERE
 FILED WITH THE COMPTROLLER'S OFFICE ON APR. 11, 2013. IT
 ARE ALSO NOT THE PLAINTIFF(S) RESPONSIBILITY TO IDENTIFY
 THESE OFFICERS; AND BEING THE LAW DEPARTMENT ARE
 FAILING TO DO SO AS ORDERED BY THIS COURT. THE
 PLAINTIFF HEREBY ASK THE COURT TO IMPLY THE
 I.A.B.; ENLIST THE SERVICES OF THIS AGENCY TO
 IDENTIFY THESE OFFICERS. N.Y.P.D. INTERNAL AFF-
 AIRS BUREAU.

Was
anyone
else
involved?

Who else
saw what
happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

"SAME AS ORIGINAL"

"SAME AS ORIGINAL"

"SAME"

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

None

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☐ No ☒ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☒

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve?

None

2. What was the result, if any?

None

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

None

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

The Grievance Procedure At ANY local, State OR Federal CORR. FACILITY does NOT

Resolve or Resolute ANY GRIEVANCE COMPLAINT THAT DID NOT HAPPEN OR TAKE PLACE AT THE FACILITY.

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any:

The Legal Coordinator At The Law Library Who directed me to contact the N.Y.C. L.U., Who in response reply for me to contact the CIVILIAN COMPLAINT REVIEW BOARD, to which never responded or contacted me from Feb. 14, 2013 thru 7-19-13.

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Plaintiff also contacted The Board of Correction and The NYC-Doc., to which both agency's stated they could not assist me with a resolution.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

Aggravated Harassment, IN THE AMOUNT 50,000.00; IN DAMAGES; RACIAL PROFILING, 50,000.00; Prejudicial Discrimination, 50,000.00; Emotional Distress, 50,000.00; Pain and Suffering, 50,000.00; Mental Anguish, 50,000.00; Mental Cruelty, 50,000.00; Psychological Disorder, 50,000.00; Complete Deprivation of Plaintiff's Constitutional Right(s) Under 4th Amend., 100,000.00; AND 14th Amend., 100,000.00; Dollars in Monetary Damages and Compensation. Total Damages: 1,600,000.00 Dollars. AND MAKE THE CITY ADMIT TO ITS WRONG DOING(S).

Joining in ANNOUNCING they will END the opp
RES)ION OF MINORITIES (PARTICULARLY BLACKS
AND HISPANICS) AND OTHER ETHNIC GROUPS.

VI. Previous lawsuits:

On
these
claims

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ___ No ☒

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff None
Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ___ No ___
If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?
Yes ☒ No ___

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Michael Oterbrink
Defendants The City of New York, et al.

2. Court (if federal court, name the district; if state court, name the county) SDNY

3. Docket or Index number 13 CV 6473

4. Name of Judge assigned to your case Katherine B. Forrest

5. Approximate date of filing lawsuit September 10, 2013

6. Is the case still pending? Yes / No
If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) Pending

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6 day of FEBRUARY, 2014.

Signature of Plaintiff

Inmate Number

Institution Address

Michael Dutubridge
349.13.19383
EMTC, 10-10 HAZEN ST.
EAST ELMHURST
NEW YORK 11370.

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 6 day of FEBRUARY, 2014, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Michael Dutubridge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
U.S. COURTHOUSE - 500 PEARL STREET
NEW YORK, N.Y. 10007

Michael Dutech
Plaintiff

Case # 13 CV. 5159 (A.T.)

against

The City of New York,
et, al. Defendant(s)

Document: Plaintiff(s) Opposition
in Response to Defendant
(s) Answer Dated: JAN.
29, 2014.

Honorable ANALISA TORRES;
Court Clerk, Pro-Se Office; The Plaintiff opp-
oses All of The Defendant(s) Answer(s) 1-
Thru 19 of The Answer Chart including the
NINE (9) AFFIRMATIVE DEFENSES in the
Defendant(s) Answer(s) Dated: JAN. 29,
2014.

Dated: EAST ELMHURST, New York
February. 06, 2014. 11370

Plaintiff Pro Se.
Michael Dutech
#319.13.19383

USDC, SDNY, SDPM.
U.S. Courthouse

Michael Outerbridge
Plaintiff
v.
The City of New York, et
al.
Defendants

Plaintiff's Response
to Defendant's
ANSWER DATED:
JAN. 29, 2014
13 CV. 5459 (A.T.)

To: The Clerk of Courts,

I Michael Outerbridge, The Plaintiff-Pro-Se.
in The Above captioned ~~Matter~~ Responds
to Defendant's ANSWER AND Respectfully
Opposes AS Follows herein.

- ① paragraph "1(A)", is true AS stated by Plaintiff.
- ② paragraph "1(B)", The Action in The Complaint, by
The Plaintiff Against The Unidentified ind-
ividuals ARE true AND correct.
- ③ paragraph 2(A), in The Complaint ARE true
AND correct.

- ④ paragraph 2(B), stated in complaint ARE True AND correct,
- ⑤ paragraph 2(C), stated in complaint ARE True AND correct,
- ⑥ paragraph 2(D). OF The complaint ARE True AND correct,
- ⑦ paragraph (3), OF The complaint ARE True AND correct,
- ⑧ paragraphs 4(A)(E) OF The complaint ARE True AND correct,
- ⑨ paragraph (5), OF The complaint ARE True AND correct,
- ⑩ paragraphs 6(A)-(D), OF The complaint ARE True AND correct,
- ⑪ Plaintiff states A claim upon which relief MAY be GRANTED,

⑫ AS stated in The Complaint The Defendant(s) HAVE VIOLATED plaintiff(s) Const. Rights AND HUMAN Rights AS Noted AND documented IN Numerous News papers AND publications proving how ruthless The N.Y.P.D. ARE AND were with the UNLAWFULNESS OF "Stop AND FRISK"

⑬ TO Be THREATENED WITH Jail AFTER being pulled over FOR NO REASON, ARE A Direct insult AND added injury. This whole ordeal were traumatizing AND illegal.

⑭ How could it be when AS A person, I were hailing A Cab/TAXI.

⑮ This ARE FOR A Judge AND/OR Attorney To decide.

⑯ Then Why didn't the OFFICER(S) Do it. ARREST Me?

⑦ Not According to the N.Y.C.L.U. AND ACHU., Documentation Attached to the original complaint Filed: Aug. 01, 2013., stating: The practice of "stop AND FRISK" ARE UNLAWFUL AND UNCONSTITUTIONAL AS OF MAY. 15, 2012 in setting A LAWSUIT AGAINST The City OF NEW YORK AND The Bloomberg Administration.

⑧ All OF PLAINTIFF(S) DAMAGES ARE Itemized in AMENDED complaint AND the PLAINTIFF ARE ASKING FOR punitive damages in the AMOUNT OF FOUR Hundred Thousand Dollars
\$400,000.00.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Michael Outerbridge

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 5459 AT OF

- against -

The City of New York et al.
AND The UNIDENTIFIED OFF-
ICER(S) OF The 33RD Pct.

AFFIRMATION OF SERVICE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, Michael Outerbridge
(name)

declare under penalty of perjury that I have

served a copy of the attached

Opposition to Defendant's Answer
(document you are serving)

upon

Corporation Counsel/LAW Dept.
(name of person served)

whose address is

At 100

Church St., New York, N.Y. 10007.
(where you served document)

by

U.S.P.S.

(how you served document: For example - personal delivery, mail overnight express, etc.)

Dated:

EAST HURST N.Y.
(town/city) (state)
FEBRUARY 11, 2014
(month) (day) (year)

Michael Outerbridge
Signature
EMTC 10-10 HAZEN ST.
Address
EAST ELMHURST, N.Y.
City, State
11370
Zip Code
NYC-DOC
Telephone Number

Machine Outboard
BAC # 249,13,1988
EMTC, 10-10 Hazen St
East Elmhurst, New York
11370.



(Logan/MAD)

Pro-Se Office
United States Dis
Southern District of
Daniel P. McMahon
At 500 Pearl St.
New York, N.Y.